

KENTUCKY'S ENVIRONMENT

The Newsletter of the Environmental Quality Commission

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EQC

is a seven-member citizen board that advises officials on environmental matters, provides a public forum for the discussion of issues, and monitors environmental conditions. To receive the free EQC newsletter call 502-564-2150 ext. 160, e-mail EQC@mail.nr.state.ky.us, or write to EQC at 14 Reilly Rd., Frankfort, KY 40601. EQC Internet Web page <http://www.state.ky.us/agencies/eqc/eqc.html>. Printed bimonthly with state funds.

Governor Issues Emergency Regulations For Hog Farms

Governor Paul E. Patton issued emergency regulations on September 18 governing the operation of large swine operations in Kentucky. The regulations were issued after residents in Western Kentucky expressed concern about two large pork producers building farms in the region that will effectively double the state's hog population to 1 million.

In July, Gov. Patton ordered the Natural Resources and Environmental Protection Cabinet to stop processing applications for swine waste management permits to allow time to develop regulations for large-scale swine operations. The new regulations require waste lagoon liners, groundwater monitoring, and buffer zones. Buckman Farms, a 5,760 swine breeding operation in Hickman County would be exempt from the rules since it filed its application prior to July. But Vall Inc., which proposed to build a 24,000 sow-breeding complex in Hopkins County must comply.

The regulations will cover operations of 1,000 or more swine units. A swine unit is a term for waste generated. Under the regulations 1,527 pregnant sows, 2,500 finishing swine, or 10,000 nursery swine would make up 1,000 swine units.

The emergency regulations will stay in effect for six months. The state has also filed a notice of intent to promulgate regulations which will take the place of the emergency regulations when they expire. A public hearing is scheduled on Nov. 25 at 6:30 pm, Hopkinsville Community College Auditorium, Talbert Dr, Hopkinsville. The two other hearings will be scheduled in late January regarding the permanent regulation. For more information about these regulations contact Bob Ware or Bruce Scott, 502-564-3410. To order a copy of the emergency regulations contact Martha Hall, 502-564-3410. ext. 406.

Major Provisions of Hog Farm Rules

<u>Siting Setbacks</u>	<u>Lagoon</u>	<u>Land spreading injection*</u>	<u>other</u>
dwelling (not applicants)	1500 ft.	500 ft.	750 ft.
incorporated city	3000 ft.	1000 ft.	1500 ft.
lake, stream, karst feature		150 ft.	75 ft.
150 ft.			
water well	300 ft.	150 ft.	150 ft.
property line	150 ft.	50 ft.	100 ft.
outstanding resource water	1 mile	750 ft.	1500 ft.
downstream water intake	5 miles	1 mile	1 mile
<u>Prohibitions (**barns, lagoons, land application, ***barns, lagoons, ****land application)</u>			
■ Wellhead protection area. **			
■ State/National Parks and Forests, Nature Preserves. **			
■ 100 year floodplain, wetlands. ***			
■ Steep slopes, land with less than 18 inches to bedrock. ****			
<u>Lagoon Design</u>			
■ Anaerobic, lined with clay, native soils, or synthetic liners.			
■ Not to exceed 5 acres.			
■ Designed to hold 1 year's production of solids, 120 days of reserve capacity, 12 inches of excess rainfall, 25-year 24-hour storm event.			
<u>Nutrient Management</u>			
■ Manure land application rates based on nitrogen content.			
■ Operator must own or control land where waste is applied.			
■ Yearly soil and waste testing for nutrients.			
<u>Monitoring</u>			
■ 3 groundwater monitoring wells around lagoon, samples taken semi annually for nutrients, chlorides, and fecal coliform.			
■ If results show leak, plan must be submitted to repair liner.			
■ Lagoon effluent to be land applied analyzed for nutrients.			
<u>Public Notification</u>			
■ Notification in newspapers and to adjacent landowners by mail of intent to construct and operate swine operation.			
■ Notification and public comment on draft permit action.			
■ Administrative hearing or appeal if aggrieved by permit action.			

MEETINGS/CONFERENCES

*Oct. 18 - Spalding Univ. Environmental Seminar "From Arrogance to Reverence: A Look at Environmental and Social Justice Issues," Dr. Paula Gonzalez, Egan Leadership Ctr., Louisville. Contact: Phyllis Hannon, 505-585-9911, ext. 268.

*Oct. 22 - Public Information Session on the Kentucky Petroleum Tank Fund; Health Services Auditorium, Frankfort. Contact: Nancy Tanner, 502-564-5981.

*Nov. 14-16- Kentuckians for the Commonwealth Annual Meeting; KY Leadership Center, Faubush. Contact: KFTC, 606-878-2161.

*Nov. 20-22-1997 KY Urban and Community Forestry Conference, Quality Hotel Riverview, Covington. Contact: KY Arborists's Assn, 606-252-2529.

PUBLIC NOTICES/HEARINGS

U.S. EPA Underground Injection Wells - Notices

*Ohio KY Oil Corp. Adair Co. (KY97UIC020) *Sargent Oil, Hopkins Co. (KY97UIC022)- Permits for injection of brine from oil/gas production. Contact: William Mann, 404-562-9424, ext. 29452.

*Bates Hollow Oil Co., Hancock Co. (KY97UIC021) - Deny permit for injection of brine from oil/gas production. Contact: William Mann, 404-562-9424, ext. 29452.

*Shannon Petroleum, Green & Adair Co. (KY97UICA010) *Columbia Valley Oil Co., Adair Co. (KY97UICA011) *Buddy Huff, Butler Co. (KY97UICA008) - Administrative orders/penalties for violations of Safe Drinking Water Act. Contact: George Ford, 404-562-9788.

KY Division of Water - KPDES Water Permit Notices

*Greystone Acres, Campbell Co.- new sanitary discharge from a subdivision that enters Plum Creek. Public Hearing Oct. 23, 7 pm, Campbell Co. High School, Cafeteria, 25 W. Lickert Rd, Alexandria. (NPDES # KY0102130).

*34 Water Discharge Permit Issuances/Modifications - Public Notices 31-34. Contact: Judy Ziegler, 502-564-3410, ext. 465.

*Injection is land application in which waste is placed directly beneath the land surface.

KY Division of Waste Mgt. - Underground Storage Tanks

*Whale Station, 9200 Dixie Hwy., Louisville (3210-056)

*Bullitt Co. Road Dept., Carpenter St. Shepherdsville (3478-015).

*ABM, State Route 34, Michellsburg (Boyle Co.) (7836-011).

*Whale Station., 503 S. 1st St, LaGrange (3216-093).

*Broadway Car Wash, 550 S. Broadway, Lexington (0170-034).

*Super America, 1845 Dixie Hwy., Louisville (7105-059).

*Alliant Health Syst., Preston St. Louisville (5623-056).

*Grugin Bulk Plant, 1607 Louisville Rd., Louisville (2347-037).

*Doug's Services, 648 E. Dixie, Elizabethtown (0372-047).

*Dairy Mart, 1845 Picadome Pkwy., Lexington (5220-034).

The above are corrective action plans to remediate groundwater or soil contamination. Contact: Matt Varney, 502-564-6716, ext. 684.

KY Div. of Waste Mgt. - Hazardous Waste Notices

*Bluegrass Army Depot, Richmond (Madison Co.) - closure plan for hazardous waste buildings (KY8-213-820-105).

*Safety Kleen, Lexington (Fayette Co.) - minor modification to regarding changes to contingency plan (KYD-981-027-469). Contact: Mike Welch, 502-564-6716, ext. 246.

KY Div. of Waste Mgt. - Solid Waste Notices

*Corning Glass, Harrodsburg (Mercer Co.) - renewal of solid waste landfill permit to 9/25/98 (084-00006 LE1PR1).

*Mason County Fiscal Court, Maysville (Mason Co.) - ground-water assessment (081-00006).

*Dayton Walther Corp., Carrollton (Carroll Co.) - renewal of solid waste landfill permit to 6/30/2002 (021-00009 LE1PR2).

*Ludlow Development, Newport (Kenton Co.) - renewal of solid waste landfill permit to 7/10/2000 (059-00004 L11PR2).

*IMCO Recycling, Morgantown (Butler Co.) - renewal of solid waste landfill permit to 7/30/2002 (0161-00004 LE2PR2).

*Olin Chemical, Brandenburg (Meade Co.) - renewal of solid waste landfill permit to 12/4/2002 (082-00007 & 082-00008 LE1PR2) Contact: Carol Sole, 502-564-6716, ext. 277.



Environmental Quality Commission Meeting Announcement



October 16-17 - EQC Clean Water Campaign Public Forum: Floyd's Fork Watershed

Kentuckians are greatly concerned about the quality of their waterways. Year after year, public opinion polls rank water pollution among the top environmental problems facing the Commonwealth. It is difficult to fully assess the extent of water pollution in Kentucky since only 7% of the state's 89,431 miles of waterways are monitored for pollution. However, data reveals that one-third of Kentucky's monitored waterways are degraded by pollution.

The Environmental Quality Commission (EQC), is sponsoring a series of public forums across the state to build awareness and promote actions necessary to better address water pollution problems in Kentucky. The third *EQC Clean Water Campaign* forum will focus on water pollution problems in the Floyd's Fork watershed. Floyd's Fork watershed contains 167 miles of streams in six counties (Jefferson, Bullitt, Shelby, Oldham, Henry, Spencer) and has been ranked by EQC as the third most polluted monitored waterway in Kentucky. Failing septic systems, stormsewer and wastewater discharges, and agriculture runoff are the principle sources of pollution in the watershed. The *EQC Clean Water Campaign* Public Forum will bring state and local interests together to:

- Review water pollution problems in the Floyd's Fork area
 - Identify state and local roles, opportunities, and actions needed to better address water pollution.
- Public Forum - October 16 Jefferson County Central Government Center, 7201 Outer Loop Rd, Louisville**

7:00 pm EQC Clean Water Campaign: Floyd's Fork - Opening Remarks

- *Aloma Dew, EQC Chair
- *Representative Allen Miracle, Shepherdsville

7:15 pm Water Pollution Problems in the Floyd's Fork Watershed

- Overview of Problem*
 - * David Leist, Mike Mudd, KY Division of Water
- Wastewater Treatment, Stormwater, On-Site Sewage Disposal: Issues and Needs*
 - * Gordon Garner, Director, Louisville, Jefferson Co. MSD
- Citizen Issues and Concerns*
 - * Tina Halbig, Floyd's Fork Environmental Association

8:15 pm General Discussion

9:00 pm Adjourn

Field Trip - October 17, 1997(Open to the public but seating is limited to 20 and reservations are required, Contact EQC at 502-564-2150, ext. 160)

8:30 am -12 noon - Raft float to view Floyd's Fork Watershed (\$2.00 per person charge).

All EQC meetings are open to the public. Meeting facilities are accessible to people with disabilities. For more information about the above meeting contact EQC at 502-564-2150.

Public Notices Continued - from front page

KY Division for Air Quality - Notices

- *Lexington Paint and Supply (Fayette Co.)- major modification to paint manufacturer (log# F201).
- *Lingo Manufacturing, Florence (Boone Co.)- major modification to metal shelving manufacturer (log# E689).
- *Louisville Gas and Electric (Jefferson Co.) - Title V permit (log #E694).
- * Whitehall Furniture, Owensboro (Daviess Co.) - Title V permit for wood furniture manufacturer (log # E812)

PROPOSED STATE REGULATIONS

- *Air Quality - Notice of Intent to promulgate 401 KAR 50:032 to establish operation limits for asphalt producers who do not hold Title V permit. Public Hearing Oct. 21, 10 am, Div. Air Quality, 803 Schenkel Lane, Frankfort. Contact: Ken Hines, 502-573-3382
- *Water - Notice of Intent to amend 401 KAR 5:001 dealing with definitions that relate to permitting of swine feeding operations and

401 KAR 5:008 a new regulation for the permitting of swine feeding operations. **Public Hearing Nov. 25**, 6:30 pm, Hopkinsville Community College, Talbert Dr, Hopkinsville. Contact: Jack Wilson, 502-564-3410.

FEDERAL NOTICES

- *Jackson County Lake Project - scoping and public comment for Environmental Impact Statement for 640-acre lake on Laurel Fork of the Rockcastle River. Contact: Mark Plank, USDA Rural Utilities Service, 1-800-799-4340.
- *Daniel Boone National Forest - Land exchange of 33.77 acres of federal forestland in Clay County for 299.1 acres of private land in Clay, Leslie, Pulaski counties. Contact: USFS, 606-598-2192.
- *Daniel Boone National Forest - Draft Environmental Impact Statement on Off-Highway Vehicle management. Contact: USFS, 606-745-3100.
- *Daniel Boone National Forest - Comments requested on authorization to use herbicides in East Kentucky Power Cooperative right-of-ways. Contact: USFS, 606-745-3100.

Kentucky Environmental Quality Commission

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1997 Outdoor Classroom Award

Nominations are being sought by the Kentucky Forest Industry Association to recognize outstanding outdoor environmental education classrooms. There will be three cash awards, First Place - \$400, Second Place - \$250, and Third Place - \$150. Applications must be received by Oct. 15, 1997. Contact: Robert Bauer, 502-875-3136.

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